

**PATENT**  
**Atty. Docket No. 29997/035A**

*IFW*  
*AF*  
*3739*

**THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s): Malackowski et al.

Serial No.: 09/764,609

Filed: January 17, 2001

For: SURGERY SYSTEM

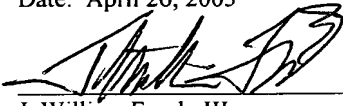
Group Art Unit: 3739

Examiner: John P. Leubecker

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Date: April 26, 2005

  
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**NOTICE OF APPEAL**

***Mail Stop AF***  
***Commissioner for Patents***  
***P.O. Box 1450***  
***Alexandria, VA 22313-1450***

Sir:

Applicant(s) or patent owner hereby appeal(s) to the Board of Patent Appeals and Interferences from the decision of the examiner dated January 26, 2005 rejecting claims 1-34 and 80-106.

Our authorization PTO 2038, in the amount of **\$500.00** to cover the fee required under 37 CFR 1.17(b) is submitted herewith.

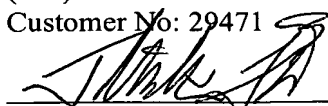
Any additional required fee may be charged to our Deposit Account No. 50-1903. A copy of this Notice is enclosed. Please refund any overpayment to McCracken & Frank LLP at the address below.

Respectfully submitted,

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April 26, 2005

By:

  
\_\_\_\_\_  
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